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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/523,990	03/13/2000	Mou-Shiung Lin	MEG99-005	6138
28112	7590	06/05/2007	EXAMINER	
SAILE ACKERMAN LLC			WALSH, DANIEL I	
28 DAVIS AVENUE			ART UNIT	PAPER NUMBER
POUGHKEEPSIE, NY 12603			2876	
MAIL DATE		DELIVERY MODE		
06/05/2007		PAPER		

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	09/523,990	LIN ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Daniel I. Walsh	2876	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### **Status**

- 1) Responsive to communication(s) filed on 01 March 2007.
- 2a) This action is **FINAL**.                            2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### **Disposition of Claims**

- 4) Claim(s) 26-52 is/are pending in the application.
- 4a) Of the above claim(s) 26-43 and 50-52 is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 44-49 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### **Application Papers**

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### **Priority under 35 U.S.C. § 119**

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) All    b) Some \* c) None of:
    1. Certified copies of the priority documents have been received.
    2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### **Attachment(s)**

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO/SB/08)  
 Paper No(s)/Mail Date \_\_\_\_\_.
- 4) Interview Summary (PTO-413)  
 Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) Notice of Informal Patent Application
- 6) Other: \_\_\_\_\_.

## **DETAILED ACTION**

1. Receipt is acknowledged of the election received on 3-1-07.

### ***Claim Objections***

2. Claim 45 is objected to because of the following informalities: Replace “code reader” with – code reader device --, replace “is visible through said protecting structure” with – is readable by the code reader through said protective structure --. Appropriate correction is required.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was

made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

3. Claims 44 and 48 are rejected under 35 U.S.C. 103(a) as being unpatentable over Flip Chip Ball Grid Array (FPBGA) Package Family, hereinafter ‘Flip Chip, in view of Chung (US 2004/0159462).

Flip Chip teaches a conventional Flip Chip Ball Grid Array package including the structure of bumps, balls, underfill, and protective coating as per the image “Laminate Flip Chip Materials and Construction”. However, Flip Chip teaches a structure of a package with a protecting cover that is not transparent, but rather Copper to help with heat issues. The Examiner notes that it is well known and conventional in the art that packaged semiconductor devices can comprise sensor or emission devices, a memory device, processing device, etc. It is conventional in the art to use flip chip and corresponding ball attachment structure for lower costs, more rugged, smaller footprint, and greater flexibility than wire bonding for example. Though Flip Chip is silent to an emissive/sensor structure, which would obviously have a transparent cap/cover to facilitate emissions/sensing by the chip, the Examiner notes that it would have been obvious to have a transparent/clear top, in order to receive/emit light, for example.

Regardless, Chung teaches a package that can have a flip chip mounted device. Chung teaches that when it is desired to remove heat from a chip, that the cover can be copper, but that when it is desired that light pass through; the lid can be transparent (paragraph [0034]).

At the time the invention was made, it would have been obvious to one of ordinary skill in the art to combine the teachings of Flip Chip with those of Chung.

One would have been motivated to do this to achieve the benefits of flip chip packages, as discussed above, wherein the package is for an image sensor.

***Allowable Subject Matter***

4. Claims 45-49 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The following is a statement of reasons for the indication of allowable subject matter: The prior art of record fails to teach that the chip has a top surface with a mark to be read by a code reader and covered by the protecting structure wherein the mark is readable through the protecting structure by the code reader. The Examiner notes that it is well known and conventional to label chips (memory or processing) with markings, barcodes, symbols, but it does not seem obvious to have a machine-readable marking on the top surface of the chip, machine readable through the protective structure and also that the chip itself is visible through the protecting structure.

***Conclusion***

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure (See PTO-892).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Daniel I. Walsh whose telephone number is (571) 272-2409. The examiner can normally be reached on M-F 7:30-4:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael G. Lee can be reached on (571) 272-2398. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Daniel I Walsh  
Examiner  
Art Unit 2876



**DANIEL WALSH  
PRIMARY EXAMINER**